

JOINT NOTICE OF PROPOSED ACTIONS

Revised April 6, 2006

By the

**U.S. Environmental Protection Agency,
Region IX, WTR-5
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**California Regional Water Quality
Control Board, Central Coast Region
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401-7906
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**On Reissuance of a National Pollutant
Discharge Elimination System (NPDES)
Permit, Modified Under Section 301(h) of
the Clean Water Act to Discharge
Pollutants to Waters of the United States**

**On Reissuance of Waste Discharge
Requirements to Discharge to the Pacific
Ocean**

For the

**City of Morro Bay
and
Cayucos Sanitary District
San Luis Obispo County**

Public Notice: April 7, 2006

The U.S. Environmental Protection Agency, Region IX (EPA) and the Central Coast Regional Water Quality Control Board (Water Board) are jointly issuing the following notice of proposed actions under the Clean Water Act (CWA) and regulations thereunder, and Division 7 of the California Water Code and regulations thereunder.

The EPA and Water Board are proposing to reissue an NPDES permit and waste discharge requirements that place effluent limitations and special conditions on the discharge from the Morro Bay/Cayucos Wastewater Treatment Plant.

EPA will accept written evidence and policy comments until 5:00 p.m. on May 11, 2006. The deadlines for submitting written evidence to the Water Board have already passed pursuant to prior notices. The Water Board will accept additional written *policy comments* of no more than 2 pages until 5:00 p.m. on **May 1, 2006**. A policy comment is a non-evidentiary statement, such as the policy views and position of the commenter or non-expert comments on evidence already in the record. Persons wishing to comment upon or object to the proposed discharge requirements are invited to submit materials either in person or by mail to the attention of Gary Sheth at the U.S. EPA at the address above or at sheth.gary@epa.gov and (for policy comments until May 1) to Matt Thompson at the Water Board address above or to mthompson@waterboards.ca.gov.

EPA and the Water Board will hold a public hearing to obtain public comment at 1:00 p.m. on **May 11, 2006**, at the Water Board Conference Room, 895 Aerovista Place, Suite 101, San Luis Obispo, California. Hearing procedures will be available on the Water Board's website.

The Administrative Record, which includes the draft permit, fact sheet, comments received, permit application, 301(h) tentative decision and other related documents are available for review at the addresses above, weekdays between 8:00 a.m. and 5:00 p.m. For the convenience of interested parties, the draft permit, fact sheet, EPA 301(h) tentative decision, evidentiary submissions of the treatment plant operators and NRDC, and Water Board staff report are available on the Water Board's website at www.waterboards.ca.gov/centralcoast.

Interested persons are invited to attend the hearing to express their views on the reissuance of waste discharge requirements. Persons making presentations should confine their statements to this issue. For the accuracy of the record, all important testimony should be submitted to EPA in writing. Oral statements should be brief to allow all interested persons time to be heard. All comments or objections received by the applicable deadlines will be considered in the formulation of final staff recommendations regarding the waste discharge. All timely comments or objections received by the close of the public hearing will be retained and considered in the formulation of the final determinations regarding the draft permit. The Water Board will not accept additional written evidence, and will not accept written policy comments after **May 1, 2006**, unless the Chair rules that no person, including the Water Board, will be prejudiced by the late submission and the party submitting the late materials demonstrates why the materials could not have been provided earlier.

The Water Board will be asked to consider adoption of waste discharge requirements at the close of the public hearing. When public interest warrants, the Water Board Chair and the EPA Hearing Officer may grant an extension of the comment period for the submittal of comments or objections. The Water Board Chair may also continue the public hearing for consideration of adoption of the waste discharge requirements.

The Water Board will also consider a settlement agreement that provides for upgrading the Wastewater Treatment Plant to full secondary treatment standards over nine and one-half years. A copy of the agreement is available on the Water Board's website.

If, after consideration of all comments and objections, the final determinations of the Regional Administrator are substantially unchanged from the tentative determinations, the Regional Administrator shall forward a notice of the final determinations to the discharger and to any person who has submitted written comments regarding the draft permit. If, after consideration of all comments and objections, the final determinations of the Regional Administrator are substantially changed from the tentative determinations, the Regional Administrator will give public notice of such determinations. The Regional Administrator shall forward a copy of the public notice and a copy of the final determinations to the discharger and to any person who has submitted written comments regarding the draft permit. If necessary, the Water Board will be asked to consider at a subsequent public hearing revised waste discharge requirements consistent with the Regional Administrator's final determinations.

Upon issuance of a final permit decision and response to comments, the EPA and Regional Board will notify the applicant and persons who submitted written comments or requested notice of the final permit decision. When a final permit is issued, it will become effective 33 days following the date it is mailed to the discharger, unless a request for review is filed. Persons filing a request for review must have filed comments on the draft permit, or participated in the public hearing.

Please bring the foregoing to the attention of any persons known to you who would be interested in this matter.